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C O N F I D E N T I A L SECTION 01 OF 02 KIEV 001163

SIPDIS

E.O. 12958: DECL: 03/26/2016

TAGS: [PGOV](#) [PINR](#) [KDEM](#) [PHUM](#)

SUBJECT: UKRAINE: ELECTION DAY REPORT -- ORANGE MAJORITY
LOOKING POSSIBLE

Classified By: Ambassador for reasons 1.4(a,b,d).

[11.](#) (C) Summary: Election day has proceeded without problems on a national scale that should affect the outcome of the vote, despite a variety of administrative deficiencies in many polling stations and allegations by all sides of wrongdoing by their opponents. Main concerns going in to election day that polling stations would not function sufficiently and that massive numbers of voters would be absent from lists do not appear to have materialized based on observations of Embassy observers deployed throughout Ukraine. Throughout the day reports of long lines generally proved to be a 15-30 minute wait, but OSCE and CVU observers in Luhansk began to report lines with wait times up to 2 hours toward the close of the day. Opposition Party of Regions statements have alleged voter list problems and long lines disenfranchising thousands of their own voters, and Our Ukraine observers have reported a number of incidents of vote buying, abuse of mobile and absentee voting, and similar infractions in Luhansk and Donetsk, but reported problems are scattered, largely unproven, and, from what we have heard, not sufficient to alter the basic outcome of the national election. End summary.

Polling Stations Opened, mostly on time

[12.](#) (C) The CEC reported March 26 that all of Ukraine's polling stations opened for election day except one, where a Molotov cocktail set fire to the building overnight in Kiev oblast; in a very small percentage of stations opening was delayed up to several hours. Embassy observers reported a variety of minor administrative problems in the voting process, but most polling station commissions (PSCs) appeared to have membership representing a variety of parties, even if some only technically (note: as in past elections, some PSC members have little connection to the party they have been designated to represent). Observers in Donetsk heard reports that businesses were controlling certain polling stations, making it appear that the Donetsk voting machine was in full swing to get out the vote, but no significant violations were observed.

Voter lists not as bad as many predicted

[13.](#) (C) Overall, polling stations were functioning well enough to result in very small numbers of people being excluded because their names were absent from the voter list. Many PSCs appear to have worked hard to improve voter lists in the preceding weeks, and one report from the nonpartisan Committee of Voters of Ukraine (CVU) indicated that voter lists were significantly improved over 2004 because hundreds of thousands of incorrect names had been removed. Embassy observers reported a total of 0-15 people turned away during the day at polling stations they visited across the country, with most in the low single digits. In places where the voter lists appear to have been more of a problem, notably Luhansk, reports suggest that local voter list committees had not done their job. Toward the end of the day, Luhansk CVU and OSCE observers began reporting lines up to 2 hours, and one polling station with a wait as long as 4 hours, as a result of voting lists that had significant errors and discrepancies between the local and parliamentary lists which were taking time to correct. Another cause of long lines was inefficient PSCs; several in Crimea had replaced their leadership on election eve, or even on election morning.

Watching the watchers

[13.](#) (C) Large numbers of domestic observers were present at polling stations, and there were only a few scattered reports of interference with observers; in several cases, Committee of Voters of Ukraine (CVU) was able to intervene to resolve the problem. The most significant problem appears to have been in Donetsk and Crimea, where Razumkov and KIIS exit pollsters reported they were not allowed to poll at some stations and were forced to go elsewhere. One Our Ukraine observer, according to press reports, was beaten by local toughs in Donetsk oblast, and the local police advised him not to report the incident.

Serious individual incidents few and far between

[14.](#) (C) The most serious incidents were the firebombing of one Kiev oblast PSC overnight, a couple of reported beatings, and

scattered reports of vote- or ballot-buying and small scale abuse of mobile and absentee ballots. In Luhansk, Our Ukraine reportedly registered 1460 cases of people taking ballots outside and selling them as of 3 pm, and alleged absentee voters were being bused to multiple stations. Luhansk observers also reported the number of mobile voters at several stations ranged from 50-200; CVU had advised that anything over 50 should be regarded as suspicious. Scattered allegations of fraud included vote buying in one Rivne city council election, and voters being paid outside a polling station after voting in Donetsk.

Looking for trouble

15. (C) Regions and Ne Tak representatives were clearly out looking for flaws. One observer team witnessed what appeared to be a staged incident in an Odesa polling station near the local Regions headquarters in which a man who was evidently a Regions party boss came in and made a loud scandal about his wife being excluded from the absentee voting list for the benefit of the Embassy observers. Regions statements throughout the day have included claims that 25,000 people were turned away from polling stations because their names were not on lists, that people were waiting 2-3 hours in lines in Odesa, and that courts in the west were allowing voters to be included on election day while those in the east were not. (Note: We have seen no evidence to substantiate these claims, and moreover these numbers do not represent a significant percentage of the electorate.) The OSCE long-term observer in Luhansk relayed the comment of one territorial commission head in Luhansk who claimed that only 45 percent of those who wanted to vote would get to vote. Results preliminary

16. (C) Several exit polls have released preliminary data showing Regions winning a plurality with between 27 and 34 percent, Tymoshenko coming in second with 21-23 percent, President Yushchenko's Our Ukraine placing third with 13-21 percent, the Socialist coming in at about 6 percent, and the Communists and radical Socialist Vitrenko-led bloc just over the 3-percent barrier. Remarkably, if these figures hold, Speaker Lytvyn's party will not make the Rada. The U.S.-funded "National Poll" shows the following vote percentages:

Regions	32
Tymoshenko	23.4
Our Ukraine	14.5
Socialists	5.7
Communists	3.5
Vitrenko	3.1

If this result represents the final actual vote figures, we would see a Rada seat allocation as follows:

Regions	175
Tymo	128
OU	80
Socialists	31
Communists	19
Vitrenko	17

Total	450

With these numbers, an Orange (Tymo, OU, Socialists) majority of 239 is possible if they can reach agreement on the PM ship, for which Tymoshenko would be sitting in the driver's seat. Tymoshenko stated publicly after polls closed that Socialist Party head Moroz had agreed to join in an Orange coalition. Tymoshenko said she would discuss the coalition with Our Ukraine. Interestingly, she did not respond directly to a journalist's question on who would be the next Prime Minister.

17. (U) Visit Kiev's Classified Website:
www.state.sgov.gov/p/eur/kiev.
Herbst